

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	4:06CR3057
	)	
Plaintiff,	)	
	)	
vs.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
CEDRIC PAYNE,	)	
	)	
Defendant.	)	

This matter is before the court upon a “Notice of Motion/Request for Information/Leave to Proceed in Forma Pauperis” (filing 42) and a separate “Application to Proceed Without Prepayment of Fees and Affidavit” on Form AO 240 (filing 43). I will deny both motions.

Filing 42 seeks copies of all court documents related to Defendant’s case. Because the court has no authority to provide free copies, I will deny this request. The court cannot act on the statement of Defendant’s “intention to file a petition under 2255-2241 or possibly a ‘Direct Appeal’” (filing 42) unless and until a petition or appeal is filed, so the court will take no action on that statement of intention. I will deny the motion for leave to proceed in forma pauperis (filing 43) as premature, as there is no habeas petition or notice of appeal before this court. If Defendant elects to file a habeas petition or notice of appeal, he may at that time file another motion for leave to proceed in forma pauperis.

Accordingly,

IT IS ORDERED that:

1. The motion in filing 42 is denied; and

2. The motion in filing 43 is denied, without prejudice to filing another motion to proceed in forma pauperis if and when a petition or notice of appeal is filed with this court.

August 16, 2007.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge